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**FEDERAL GRAND JURIES RETURN SUPERSEDING INDICTMENTS CHARGING
THE WHOLESALE MANUFACTURE OF FENTANYL AT A
MEXICAN LABORATORY AND DEATHS RESULTING FROM FENTANYL
DISTRIBUTION IN CHICAGO**

CHICAGO – Two superseding indictments charging both international and Chicago-based fentanyl traffickers were made public today in Chicago. Fentanyl is a synthetic opiate and a Schedule II narcotic drug controlled substance.

Last week, a federal grand jury returned a sealed four-count superseding indictment in *United States v. Lutgardo Chavez, Jr. et al.*, 06 CR 138, against 13 defendants for their involvement in a drug trafficking organization that obtained large quantities of cocaine, heroin and fentanyl from Mexico for resale to customers in Chicago, Illinois; Detroit, Michigan and elsewhere. Two separate prior indictments had charged seven of these defendants with drug offenses; in addition to combining those cases and adding six new defendants, including the alleged head of the drug trafficking organization, **Felixito Vidana-Aispuro**, the superseding indictment adds allegations regarding the manufacture of the fentanyl at a laboratory in Mexico and the distribution of the fentanyl, heroin, and cocaine from Mexico to Chicago and Detroit.

Yesterday, in a separate case, a different federal grand jury returned a superseding indictment against **James Austin**, allegedly the leader of the Mickey Cobra street gang, and 12 other alleged members and associates of the Mickey Cobras, in *United States v. Austin, et al.*, 06 CR 451. The *Austin* superseding indictment adds allegations that at least five individuals died as a result of their use of fentanyl trafficked by certain members of the Mickey Cobra conspiracy.

Chavez Superseding Indictment

The *Chavez* superseding indictment, unsealed today, alleges that in or about 2003, members of Vidana's organization established a company in Mexico named Distribuidora Talios SA de CV. Members of the organization allegedly held Distribuidora Talios out to the public as a legitimate business when in fact Distribuidora Talios was a front company through which members of the organization ordered chemicals and equipment to be used in the manufacture of fentanyl. The superseding indictment alleges that beginning no later 2004, members of the organization operated a laboratory in Toluca, Mexico ("the Toluca laboratory") that was used for the manufacturing of wholesale quantities of fentanyl for distribution to others on behalf of the organization.

According to the *Chavez* superseding indictment, beginning no later than the Summer of 2005, members of the organization manufactured large quantities of fentanyl at the Toluca laboratory, and distributed this fentanyl to members of the organization in the Chicago, Illinois area. The members of the organization redistributed the fentanyl manufactured at the Toluca laboratory to co-conspirators based in Chicago, Illinois and Detroit, Michigan, for resale to others. Beginning no later than the Fall of 2005, a Chicago, Illinois-based co-conspirator distributed the fentanyl manufactured at the Toluca laboratory to a co-conspirator, who in turn

sold it to customers in the Chicago, Illinois area, including members of the Mickey Cobras street gang and their associates.

All 13 defendants in the *Chavez* superseding indictment were charged with conspiracy to possess and distribute fentanyl, cocaine and heroin from 2001 to at least May 2006 (Count One). Six defendants were charged with conspiracy to import fentanyl from Mexico to the United States from the Summer of 2005 to at least May 2006 (Count Two). One defendant was charged with the distribution of over 500 grams of cocaine on September 29, 2005 (Count Three). One defendant was charged with the possession with the intent to distribute over 500 grams of cocaine on September 29, 2005 (Count Four). The charges in the indictment resulted from an investigation led by the Drug Enforcement Administration with the assistance of law enforcement authorities in Mexico. During the course of the investigation, fentanyl, heroin and 3 kilograms of cocaine were seized.

The United States is being represented by Assistant U.S. Attorney Terra Brown in *United States v. Chavez*. The defendants in *United States v. Chavez* taken into federal custody today are scheduled to have an initial appearance at 1:30 p.m. today before U.S. Magistrate Judge Morton Denlow in Courtroom 1350 of the Dirksen Federal Building. Arrests were also made in Mexico. The government will seek the extradition of the following defendants in *United States v. Chavez*, who are in Mexico: **Jesus Mario Fajardo-Trujillo, Ricardo Valdez-Torres, Alfredo Molina-Garcia, Guadalupe Moreno-Soto, Oscar Jacobo Rivera-Peralta and Felixo Vidana-Aispuro.**

The defendants in *United States v. Chavez*, if convicted of Count One – conspiracy to possess and distribute fentanyl, cocaine and heroin – face a mandatory minimum penalty of 10 years in prison, a maximum penalty of life imprisonment, and a maximum fine of \$4,000,000.

Count Two, conspiracy to import fentanyl, carries the same potential penalties as Count One.

Count Three, distribution of over 500 grams of cocaine, carries a mandatory minimum penalty of 5 years in prison and a maximum of 40 years in prison, and a maximum fine of \$2,000,000.

Count Four, possession with intent to distribute over 500 grams of cocaine, carries the same potential penalties as Count Three. The District Court would determine the sentence to be imposed.

The Austin Superseding Indictment

The *Austin* superseding indictment now adds to the original drug distribution charges allegations that the deaths of at least five individuals, identified in the superseding indictment by their initials, resulted from the fentanyl trafficking activities of Mickey Cobra “King” **James Austin**; Austin’s cousin and chief assistant **Johnny Shannon**; **Jerome Johnson**; **Tyrone Wallace**; **Kevin Williams**; **Penorris Brownridge**; and Austin’s fentanyl supplier, **Derrick Campbell**. The grand jury also returned additional gun charges and other drug-related charges against various defendants. These charges, like those in the *Chavez* case, resulted from an investigation led by the Drug Enforcement Administration.

The United States is being represented by Assistant U.S. Attorneys Jake Ryan and Monika Bickert in *United States v. Austin*. The defendants in *United States v. Austin* are a scheduled to be arraigned on the superseding indictment at 1:30 p.m. today before U.S. District Court Judge Matthew Kennelly in Courtroom 2103 of the Dirksen Federal Building.

As to the defendants in the *United States v. Austin*, if convicted, each defendant faces a mandatory minimum sentence of 10 years in prison and a maximum sentence of life imprisonment without parole and a maximum fine of \$4 million. Defendants James Austin, Johnny Shannon, Jerome Johnson, Tyrone Wallace, Kevin Williams, Penorris Brownridge, and

Derrick Campbell, who are charged with drug trafficking activities that resulted in death, also face a mandatory minimum of 20 years in prison, and mandatory life in prison if that defendant has been convicted of a prior felony drug. The District Court would determine the sentence to be imposed.

The public is reminded that an indictment contains only charges and is not evidence of guilt. Each defendant is presumed innocent and is entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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